

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In Re:

Fred Dale Van Winkle and Associated Case in
BAP

Case No.: 13-11743-t7

Debtor(s).

Brian Van Winkle,
not in his personal capacity but solely as
co-personal representative of the estate of Fred
Van Winkle, and Tammy Sprague, not in his
personal capacity but solely as co-personal
representative of the estate of Fred Van Winkle,

Adversary No. 20-01022-t

Plaintiff(s),

v.

Bellevue Valley Land Co.,
a New Mexico Corporation, John H. Williams,
and Ellen B. Williams,

Defendant(s).

**SUMMONS AND NOTICE OF SCHEDULING CONFERENCE
IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to file with the clerk of the bankruptcy court a motion or answer to the attached complaint **within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.**

Fed.R.Bankr.P. 7012 requires a responsive pleading to "include a statement that the party does or does not consent to entry of trial orders or judgment by the bankruptcy court." Failure to comply with this rule will constitute consent.

Address of the clerk:

United States Bankruptcy Court Pete V. Domenici U.S. Courthouse 333 Lomas Blvd. NW, Suite 360 Albuquerque, NM 87102
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At the same time, you must also serve a copy of the motion or answer upon the pro se plaintiff or plaintiff's attorney.

Address of the plaintiff or attorney:

Joel Alan Gaffney Gaffney Law, PC 6565 America's Parkway #200 Albuquerque Albuquerque, NM 87110 Telephone number: (505) 563-5508

If you file a motion, your time to answer is governed by Fed.R.Bankr.P. 7012.

YOU ARE NOTIFIED that a scheduling conference with respect to this complaint has been set for:

Case 20-01022-t Doc 2 Filed 03/27/20 Entered 03/27/20 14:23:51 Page 1 of 3

May 8, 2020 at 09:45 AM

and will be conducted by the **Courtroom Deputy, Christa R. Lucero** in Judge Thuma's Hearing Room, Pete V. Domenici U.S. Courthouse, 333 Lomas Blvd. NW, 5th Floor, Albuquerque, NM 87102.

Prior to the scheduling conference, the parties shall have conferred with each other and shall provide the following information to the court: (1) identification of factual and legal issues, (2) time estimate for a final hearing, if necessary, (3) likelihood of resolution of the proceeding.

Appearing by telephone: Counsel/parties may appear by telephone if a request is received in the Court's Chambers by 5:00 P.M. of the business day prior to the hearing. Requests to appear by telephone may be sent by e-mail to Judge Thuma's chambers at thumastaff@nmb.uscourts.gov. The e-mail message must have a subject heading that includes the word "telephone", correctly spelled. The text of the request must contain your name, the case name, date and time of hearing, and the number at which you can be reached when we call you for the hearing, or the party can make arrangements by calling chambers at (505) 600-4640. Do not send your request to the Clerk's Office and do not file your request as a pleading.

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.



CLERK OF COURT

By: Lana Merewether

333 Lomas Blvd. NW, Suite 360
Albuquerque, NM 87102
Telephone: (505) 415-7999

Date of Issuance: March 27, 2020

NOTE: THE PLAINTIFF IS REQUIRED TO:

(1) SERVE THIS SUMMONS AND A COPY OF THE COMPLAINT WITHIN SEVEN DAYS OF ISSUANCE,

and

(2) FILE A CERTIFICATE OF SERVICE WITH THE COURT WHICH SUBSTANTIALLY CONFORMS WITH FORM B 250A. See Fed. R. Bankr. P. 7004.

